

North Carolina Department of Agriculture and Consumer Services

Steve Troxler, Commissioner

**2008 Community Partners
Acknowledgement of Program Terms**

This acknowledgement is provided by the non-profit or local government entity listed below (the "Sponsoring Agency") to the North Carolina Department of Agriculture & Consumer Services (the "Department"). Each Sponsoring Agency must abide by the terms set forth in this document or it shall be ineligible for cost-share funding.

Each Sponsoring Agency must front the entire cost of a load of hay, handle all communications, collect the required information from livestock owners (set out more specifically below), and submit the necessary documentation to the Department for the transportation reimbursement. The same reimbursement rules that apply under the Ag/Equine Partners program apply to a Sponsoring Agency, with the exception of the three load limit. Although funds might be exhausted at any time, there is no other limit on the number of loads for which a Sponsoring Agency may request cost-share funding.

The Sponsoring Agency will maintain a list of who they sell the hay to (including address and current contact information), quantity purchased, and the date purchased. The Sponsoring Agency agrees to make the list available to the Department upon request and will provide summary information to the Department at the conclusion of the program.

The Sponsoring Agency will file their reimbursement requests on the Ag/Equine Partners application form. Questions on that form regarding Farm ID or number of cattle or other livestock do not need to be completed, but other information requested on the form must be provided. Forms are available on the Department's website.

Sponsoring Agencies must LIST THEIR NAME AND THE WORDS "COMMUNITY PARTNER" ON THE APPLICATION. THIS WILL HELP IN THE TIMELY PROCESSING OF APPLICATIONS. A Sponsoring Agency must attach supporting documentation, including receipts and the identity of farmers who have shared in the load, and submit their reimbursement application to the Department for consideration.

Each Sponsoring Agency agrees to sell hay that they purchase through this program to farmers at cost. No markup, surcharge, handling fee, or other charge will be allowed. The Sponsoring Agency agrees to use the entire transportation reimbursement provided by the state to reduce the per bale selling price to the farmer who ultimately uses the hay.

The Sponsoring Agency may “front” the reimbursement to the farmer or wait until it receives the reimbursement to pass it along to the farmer. Because the availability of funds depends on how many qualifying applications are received by the Department, there is no guarantee that sponsoring agencies will be fully reimbursed. However, the Department will make every effort to give the Sponsoring Agency some indication of the availability of funds left in the program upon inquiry. The sponsoring agency understands no reimbursement will be provided once all funds allocated by the Council of State have been distributed, and applications are reviewed on a “first come, first served” basis.

The Community Loads program is not an entitlement program and the Department reserves the right to disqualify a Sponsoring Agency from participating, to request additional information or other written assurances from the Sponsoring Agency before reimbursement, or to refuse to reimburse a Sponsoring Agency if funds are exhausted, program rules are not followed or are abused, or the intent of the program is being subverted.

This Acknowledgement is not a contract between the Department and any farmer who ends up participating in the Community Partners program or who purchases hay from the Sponsoring Agency. Each farmer’s agreement is with the Sponsoring Agency only, and the Department cannot be and is not liable to the Sponsoring Agency for the farmer’s failure to pay for hay. Similarly, the Department cannot be and is not liable to any farmer for the quality, quantity, delivery, or selection of the hay that is moved as a result of the Community Partners program.

The individuals signing this Acknowledgement on behalf of the Sponsoring Agency must have, and by their signatures indicate that they do have, the authority to bind the Sponsoring Agency. Before reimbursements will be made by the Department, at least two representatives of the Sponsoring Agency must have signed and dated this Acknowledgement.

Any instances of fraud or abuse of the Community Loads program will be pursued to the fullest extent of criminal and civil law.

Sponsoring Agency Representative

Date

Sponsoring Agency Representative

Date

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